REMARKS

According to the Office Action, claims 105, 111, 112 and 117-121 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended the claims as indicated above to overcome the outstanding Section 112, second paragraph, rejections. Withdrawal of rejections is respectfully requested.

Allowable Subject Matter:

Applicant expresses gratitude to the Examiner for the indication that claims 1-104, 106-110, 113-116 and 122-124 are allowable. Claims 105, 111, 112, and 117-121 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, as suggested in the Office Action.

Priority:

Applicant has submitted a Supplemental Application Data Sheet on October 16, 2003 (copy enclosed) indicating that the instant application claims priority to U.S. Pat. Application Nos. 09/780,745 and 60/326,664, each of which has an inventor in common with the instant application.

If the Examiner believes a telephone conference would expedite prosecution of this application, a telephone call to the undersigned attorney at below listed number will be appreciated.

Respectfully submitted,

<u>April 20, 2004</u> Date

Richard R. Batt

Reg. No. 43,485

ArthroCare Corporation 680 Vaqueros Avenue Sunnyvale, California 94085-3523 (408) 736-0224